

Exhibit 4

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
No. 1:20-cv-00613-CCE-LPA**

**NATIONAL ASSOCIATION FOR)
THE ADVANCEMENT OF)
COLORED PEOPLE ALAMANCE)
COUNTY BRANCH, et al.)
)
Plaintiffs,)
)
v.)
)
JERRY PETERMAN, et al.,)
)
Defendants.)**

DECLARATION OF PAMELA CHESTEK

1. My name is Pamela Chestek, I am a resident of Wake County and a member of the North Carolina Bar (NC Bar No. 40963). I am over the age of eighteen and am competent to provide the information that follows based upon my personal knowledge.
2. On August 1, 2020, I served as a Legal Observer at the Courthouse Square in downtown Graham, North Carolina from approximately 11:30am to 3:15pm. I later drove by the same location at 3:45pm. Legal Observers are not demonstrators or protestors, but objective observers who document what they observe at demonstrations. The following four photographs are ones I took which accurately and fairly represent what I saw on August 1, 2020. I took the first photo when I arrived. It shows the north side of the Courthouse grounds, which was taped off, with sawhorses blocking pedestrian access to the pedestrian area behind and on the west side of the monument:



3. The above photo shows demonstrators later in the afternoon protesting the Confederate monument, racism and police brutality in the taped-off area that

Sheriff personnel restricted them to on August 1, 2020. Soon after I arrived, a bit before noon, I saw just one individual, wearing a white T-shirt with a photo of the Confederate statue and the statement “It’s not coming down,” in the taped-off area when there was only one protester there. The pro-Confederate individual talked to the deputy for a few minutes and then left the area. He did not interact with the protester.



4. I took the above photo from the west side of the Courthouse’s north steps. Sheriff personnel did not allow protestors any access to these steps, nor (as shown in the below photo) the area in front of the steps and beside the monument.
5. In the 3 1/4 hours I was present, I saw a maximum of eighteen anti-racist protestors (not all there at the same time) including five children. One protestor tried to use the crosswalk at North Main to cross over to the monument, but was reprimanded by a Sheriff deputy for going around the sawhorse that was blocking off the sidewalk and ducking under the tape.



6. I took the above photo showing the blocked access to the pedestrian area between the Courthouse and the monument (the metal fence on the left side of the photo surrounds the monument). There were protestors opposing the monument on both sides of the restricted, taped off area.
7. I saw only a few (six or seven) pro-Confederate people in the time I was there and they were not all in a group. Some walked around across the street, one circled the square in a vehicle with a large Confederate battle flag hanging out the driver's window, and a few sat at the hair salon across the street from the monument.
8. I saw no violence nor threat of violence between the protestors and the pro-Confederates. I did witness a Sheriff deputy threaten to arrest one anti-racist protestor for using the "f" word in a chant that went: "1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, f---- 12!" I also witnessed a Sheriff deputy gesticulate at the anti-racist protestors in a mocking manner. And I witnessed Sheriff deputies prohibit the protestors from crossing over the taped off and barricaded areas.

9. I left at about 3:15 when the protesters were leaving the site. I drove by at around 3:45pm and there were no protestors at the site.

I declare under penalty of perjury that the foregoing is true and correct. Executed on August 11, 2020.

/s/ Pamela Chestek

Pamela Chestek